

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

UNITED STATES OF AMERICA, *ex rel.* §
ALEX DOE, Relator, THE STATE OF §
TEXAS, *ex rel.* ALEX DOE, Relator, THE §
STATE OF LOUISIANA, *ex rel.* ALEX DOE, §
Relator, §

Plaintiffs, §
§

v. §
§

PLANNED PARENTHOOD FEDERATION §
OF AMERICA, INC., PLANNED §
PARENTHOOD GULF COAST, INC., §
PLANNED PARENTHOOD OF GREATER §
TEXAS, INC., PLANNED PARENTHOOD §
SOUTH TEXAS, INC., PLANNED §
PARENTHOOD CAMERON COUNTY, §
INC., PLANNED PARENTHOOD SAN §
ANTONIO, INC., §

Defendants. §
§

No. 2:21-cv-022-Z

Date: February 8, 2023

EXHIBIT A

Uncited Documents in Plaintiffs' Appendix¹

Appendix Pages	Appendix Document Title ²
Appx.000007-0066	PPGC Medicaid Provider Agreement
Appx.000091-0098	PPGC Medicaid Provider Agreement
Appx.000099-0106	PPGC Medicaid Provider Agreement
Appx.000107-0114	PPGC Medicaid Provider Agreement
Appx.000115-0183	PPSA Medicaid Provider Agreement
Appx.000184-0261	PPSA Medicaid Provider Agreement
Appx.000262-0269	PPSA Medicaid Provider Agreement
Appx.000270-0321	Family Planning Associate of San Antonio Medicaid Provider Enrollment
Appx.000322-0330	PPST Medicaid Provider Agreement
Appx.000331-0408	PPGT Medicaid Provider Agreement
Appx.000409-0416	Planned Parenthood of Texas Medicaid Provider Agreement
Appx.000417-0436	PPGT Electronic Funds Transfer (ETF) Notification
Appx.000437-0444	PPGT Medicaid Provider Agreement

¹ Among these 137 uncited documents are 77 documents that no Defendant designated Confidential or Attorneys' Eyes Only. While such documents should never have been filed in the first place and are thus not properly "judicial records," *see* Loc. R. 5.2, Plaintiffs need never have sealed them in the first instance.

² To avoid confusion, Defendants have—where possible, given Plaintiffs' condensing of multiple documents from the Appendix into a single entry in the Index—used the document titles as written in Plaintiffs' Index (ECF No. 400). However, Defendants' use of these titles does not constitute any agreement or concession that Plaintiffs' descriptions are accurate. Indeed, many of them are not.

Appendix Pages	Appendix Document Title²
Appx.000445-0520	PPCC Medicaid Provider Agreement
Appx.000521-0596	Planned Parenthood Association of Cameron & Willac Medicaid Provider Agreement
Appx.000597-0609	2015 Texas Medicaid Provider Procedures Manual
Appx.000622-0628	2016 Texas Medicaid Provider Procedures Manual
Appx.000629-0640	2016 Texas Medicaid Provider Procedures Manual Section 1.1 Excerpt
Appx.000641-0712	2017 Texas Medicaid Provider Procedures Manual
Appx.000713-0724	2017 Texas Medicaid Provider Procedures Manual Section 1.1 Excerpt
Appx.000725-0731	2018 Texas Medicaid Provider Procedures Manual
Appx.000732-0743	2018 Texas Medicaid Provider Procedures Manual Section 1.1 Excerpt
Appx.000744-0750	2019 Texas Medicaid Provider Procedures Manual
Appx.000751-0762	2019 Texas Medicaid Provider Procedures Manual Section 1.1 Excerpt
Appx.000763-0769	2020 Texas Medicaid Provider Procedures Manual
Appx.000782-0788	2021 Texas Medicaid Provider Procedures Manual
Appx.000816-0821	THHSC (Bowen) Letter to PPGC (Linton) re Notice of Termination
Appx.000822-0827	THHSC (Bowen) Letter to PPST (Hons) re Notice of Termination
Appx.000828-0834	THHSC (Bowen) Letter to PPGT (Lambrecht) re Notice of Termination
Appx.000835-0840	THHSC (Bowen) Letter to Planned Parenthood Association of Cameron and Willacy (Hons) re Notice of Termination
Appx.000873-0911	Application for Temporary Restraining Order (PPGT vs Charles Smith, 1:15-CV-01058 [Dkt 55-2])
Appx.000912-0914	Court Order (A-15-CA-1058-SS) [Dkt 84]

Appendix Pages	Appendix Document Title²
Appx.000915-0957	Court Order (A-15-CA-1058-SS) [Dkt 100]
Appx.000958-0960	Order of Judgment (A-15-CA-1058-SS_ [Dkt 101]
Appx.000961-1066	5 th Circuit ruling
Appx.001067-1073	Order Granting Relators Application for Temporary Restraining Order and Setting Hearing on Temporary Mandatory Injunction (D-1-GN-21-000528)
Appx.001074-1081	Order Extending Relators Temporary Restraining Order and Setting Hearing for Temporary Mandatory Injunction (D-1-GN-21-000528)
Appx.001082-1089	Second Order Extending Relators Temporary Restraining Order (D-1-GN-21-000528)
Appx.001093-1096	Order Denying Original Petition for Writ of Mandamus and Application for Injunctive Relief (D-1-GN-21-000528)
Appx.001489-1538	Deposition Transcript of Vickie Barrow-Klein
Appx.001704-1741	Deposition Transcript of Marianne DeJong
Appx.001803-1839	Deposition Transcript of Ronda Exnicious
Appx.002174-2201	Deposition Transcript of Emily Stewart
Appx.002412-2438	Louisiana Medicaid Take Charge Plus Family Planning Services) Provider Manual
Appx.002586-2593	PPGC Louisiana Medicaid Provider Group Agreement (email with attachment)
Appx.002594-2619	PPGC Participating Provider Agreement
Appx.002620-2670	PPGC Louisiana Medicaid Participating Provider Agreement
Appx.002698-2703	PPFA Affiliates' Unopposed Motion to Stay filed January 8, 2021
Appx.002704-2705	Travis County District Court Order Denying PPFA Affiliates' Application for Temporary Injunction and Petition for Writ of Mandamus dated March 10, 2021

Appendix Pages	Appendix Document Title²
Appx.002709-2711	PPGC Email re Texas Medicaid Update dated March 15, 2021
Appx.002713-2716	PPGC Memorandum of Law in Opposition to Motion to Vacate filed March 29, 2021
Appx.002717-2719	PPFA Affiliates' Joint Status Update filed May 7, 2021
Appx.002720-2722	PPFA Affiliates' Joint Status Update filed May 7, 2021
Appx.002723-2725	PPFA Affiliates' Notice of Voluntary Dismissal filed May 13, 2021
Appx.004054-4057	PPFA Summary of PPFA Cash Payments to Affiliates
Appx.004058-4077	PPFA 2016 Financial Grant Renewal Application
Appx.004078-4112	PPFA Consolidated Financial Statements and Supplementary Information
Appx.004113-4114	Email from Hawkins to Curtis re Completed: Medicaid Grant for PPGC Planned Parenthood - For your Signature
Appx.004115-4117	PPFA 2021 PPGT Access to Care Medicaid Gap Funding Grant Agreement
Appx.004118-4124	PPFA 2021 PPGT Access to Care Medicaid Gap Funding Grant Agreement
Appx.004125-4126	Email from Hawkins to Barraza re Completed: PPST Medicaid Grant Planned Parenthood - For your Signature
Appx.004127-4130	PPFA 2021 PPST Access to Care Medicaid Gap Funding Grant Agreement
Appx.004131-4137	PPFA 2021 PPGT Access to Care Medicaid Gap Funding Grant Agreement
Appx.004138-4140	PPFA 2017 Email re Gap Funding Approach & Additional Contingency Planning Details
Appx.004143-4157	PPFA Retirement Plan (Sponsored by PPGT) Financial Statements December 31, 2018 and 2017
Appx.004158-4166	PPFA 2020 Draft Funding Agreement between PPFA and BetterHealth: A Planned Parenthood Partnership
Appx.004167-4213	PPFA 2016 OHS (Online Health Service) NewCo Business Plan

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Appx.004214-4215	PPFA Email Invitation for Epic Exploration Webinar
Appx.004216-4221	PPFA Email re ACEC Call and Kaleido Fundraising Factsheet
Appx.004222-4385	416 Holdings Board of Directors Meeting Agenda and Materials
Appx.004386-4387	Kaleido Health Solutions Email re PPDirect/Connect September Metrics
Appx.004388-4389	PPFA Email to PPFA Affiliates re Healthcare Operations Team Service Expansion Support Grant Program
Appx.004822-4859	PPFA Consolidated Financial Statements dated June 30, 2019
Appx.004860	PPFA PPOL Revenue Distribution to PPST
Appx.004861-4862	PPFA Leadership Structure
Appx.004888-4942	Planned Parenthood Medical Director Orientation Manual Draft
Appx.005010-5011	Email from D. Singiser to K. Lambrecht re: Medicaid Follow-Up Questions; dated Jul. 6, 2017
Appx.005012-5013	Email from K. White to M. Turner re: Medicaid Element of Performance (EOP); dated Oct. 21, 2015
Appx.005014	Email from D. Singiser to H. Krasnoff, E. Stewart, K. Lambrecht re: Questions about defunding; dated Nov. 12, 2016
Appx.005017-5024	Email from PPFA to Affiliates re: Compliance & Medicaid, Health Care Reform Update Newsletter
Appx.005056-5058	PPFA Email re: Gift to PPGT via PPFA
Appx.005059-5065	PPFA Email re: Gift to PPGT via PPFA
Appx.005072-5075	PPFA Email re: SAP Sustainability Model for Baton Rouge Clinic
Appx.005076-5082	Health Care Investment Program Update for Oct. 2, 2014
Appx.005122-5126	Email from PPFA re: effect of Medicaid defunding on Louisiana Clinics and PPFA financial support

Appendix Pages	Appendix Document Title²
Appx.005127	Email re: TX Medicaid termination and whether termination is “paused” during appeal, dated Dec. 21, 2016
Appx.005128-5129	Email from PPFA to Affiliate CEOs re: PPFA’s Medicaid Gap Fund for Affiliates out of Medicaid
Appx.005130-5135	PPGC Financial Operations Assessment 2012-2013
Appx.005136-5140	PPFA Email re: Talking points for Wendy Davis to discuss Texas Medicaid defunding and litigation; dated Oct. 20, 2015
Appx.005150	PPFA Emails to Board Chairs and Affiliate CEOs re: Meeting on Potential Future Options
Appx.005151	PPFA Emails to Board Chairs and Affiliate CEOs re: Meeting on Potential Future Options
Appx.005152-5153	PPFA Email to Nat’l All Staff re: Update from Foundational Group
Appx.005154	PPFA Mtg Invite re: CEO bi-weekly COVID call
Appx.005163-5185	PPFA Business Operations Team “Understanding Health Center Performance” PowerPoint
Appx.005198-5207	PPFA PowerPoint Presentation, “Title X FOA Risk Assessment Initial Findings”
Appx.005208	PPGT Acknowledgment of Receipt and Implementation of PPFA Clinical Research Standard Operating Procedures and Research Conduct Guidelines 2019
Appx.005209-5211	Email from PPFA to Texas Affiliate Medical Director welcoming to PPFA
Appx.005220-5285	PPST Compliance, Quality Improvement & Risk Management Committee Meeting Agenda with materials; dated Nov. 10, 2016
Appx.005286-5288	Email to Jill Cobrin at ARMSInc.org re: accreditation of non-PP organization to provide health services if PPST loses Medicaid funding; dated Dec. 4, 2016
Appx.005289-5303	Email to J. Hons providing Affiliate Development and Accreditation Committee white paper re: licensing Medical Standards and Guidelines and use at non-PP organizations; dated Mar. 17, 2017
Appx.005304-5317	Email to K. Lambrecht RE: Directors and Officer’s Policy with policy attached; dated May 21, 2021

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Appx.005318-5435	Email from T. Trivisonno to M. Baxter with Powerpoint and information regarding PPFA Business Operations Team guidelines for assessing Health Center labor and performance; and NCL playbook attached
Appx.005436-5437	PPFA Email to Affiliates re: Compliance Community Forum
Appx.005438-5440	Email from PPFA to Affiliates re: No Surprises Act; Part II; Good Faith Estimate – Affiliate Guidance and Considerations; dated Dec. 7, 2021
Appx.005441-5444	PPFA Email to Affiliate CEOs sharing preview materials for upcoming National Conference; dated Mar. 17, 2021
Appx.005443-5444	National Conference Workshop List
Appx.005451-5519	Research & Analysis: An Audit by Script Architecture prepared for PPFA re: facility upgrades to PP Affiliates; PowerPoint presentation; dated Mar. 30, 2020
Appx.005520-5576	Email to Affiliate Senior Leadership and Admins; Subject ACEC Meeting Agenda and Materials (with attachments); dated Feb. 24, 2016
Appx.005577	Email from S. McKinney directing PPGT not to bill specified charges to Medicaid while PPGT is excluded from the program; dated Mar. 13, 2021
Appx.005578-5579	Emails received by PPGT regarding the 60-Day Medicaid/Medicare Overpayment Repayment Rule
Appx.005580-5581	Emails received by PPGT regarding the 60-Day Medicaid/Medicare Overpayment Repayment Rule
Appx.005582-5583	Emails received by PPGT regarding the 60-Day Medicaid/Medicare Overpayment Repayment Rule
Appx.005584-5585	Emails received by PPGT regarding the 60-Day Medicaid/Medicare Overpayment Repayment Rule
Appx.005586	Email from S. McKinney to M. deJong re: Medicaid lawsuit info requested by auditors
Appx.005587-5588	Email from R. Exnicious re: recouped Medicaid payments; dated Jan. 14, 2021
Appx.005589	Email from K. Lambrecht to S. Wheat re: Medicaid recoupment; dated Dec. 7, 2015

Appendix Pages	Appendix Document Title²
Appx.005590-5594	Email from PPFA re: difficult questions and talking points re: TX Affiliate OIG audits with attachments
Appx.005595	Texas Health and Human Services Office of Inspector General Website Articles discussing HHSC-OIG encouraging providers to self-report overpayments and errors
Appx.005596	Texas Health and Human Services Office of Inspector General Website Articles discussing HHSC-OIG encouraging providers to self-report overpayments and errors
Appx.005597	Texas Health and Human Services Office of Inspector General Website Articles discussing HHSC-OIG encouraging providers to self-report overpayments and errors
Appx.005598-5605	Texas Health and Human Services Commission Office of Inspector General Self-Disclosure Protocol; dated Feb. 2016
Appx.005606	Texas Medicaid Refund Information Form; effective date 08012014; revised date 06232014
Appx.005607	Texas Medicaid Refund Information Form; effective date 07302007; revised date 06012007
Appx.005608	Louisiana Medicaid list of Training Presentations, including copy of presentation titled Program Integrity 101; revised Mar. 2011
Appx.005609-5637	Louisiana Medicaid list of Training Presentations, including copy of presentation titled Program Integrity 101; revised Mar. 2011
Appx.005638-5639	Email from M. deJong re: financial report contingency footnote re: OIG audit of PPGT; dated Apr. 10, 2015
Appx.005640	Email from K. Lambrecht re: federal audit report of PPGT predecessor and conclusion that PPGT received overpayment; dated Mar. 7, 2016
Appx.005641-5643	Email from S. McKinney re: Talking re: OIG Medicaid Audit with attachment; dated Apr. 6, 2016
Appx.005644-5651	PPFA Email to Affiliates re: Health Care Reform Update Newsletter – June 2013 Issue
Appx.005652-5658	Healthcare Reform Update
Appx.005659-5674	Updated US Department of HHS OIG's Provider Self-Disclosure Protocol; issued Apr. 17, 2013

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Appx.006122-6125	Email from K. Lambrecht with subject: 5th Circuit Ruling re: Planned Parenthood in Medicaid and attaching the Court's Opinion; dated Nov. 23, 2020
Appx.006129-6131	Email from K. Lambrecht re: Texas affiliates' termination from Medicaid and PPGT and PPFA talking points, dated Oct. 19, 2015
Appx.006132	Email from M. deJong re: legality of providing Medicaid services after termination and likelihood of success in fighting termination with attached [sic] OIG Notice of Termination; dated Dec. 2, 2015
Appx.006139-6141	Email from K. Ray at HHSC to TX Affiliate CEOs re: "grace period" request; dated Jan. 4, 2021
Appx.006146-6147	March 10, 2021 Letter Ruling from Judge Livingston Travis County 261st Dist. Ct. In D-1-GN-21-000528
Appx.006173-6178	Letter from Affiliate Defendant CEOs to HHSC Executive Commissioner Cecile Young requesting reinstatement or "grace period"; dated Dec. 14, 2020

CERTIFICATE OF SERVICE

I hereby certify that on February 8, 2023, a copy of the foregoing was served pursuant to the Court's ECF system.

/s/ Danny S. Ashby
Danny S. Ashby